

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:) Chapter 11
)
EASTERN LIVESTOCK CO., LLC,) Case No. 10-93904-BHL-11
)
Debtor.) Hon. Basil H. Lorch III

REQUEST FOR REFUND OF FILING FEE

On January 7, 2011, CPC Livestock ("CPC") filed a Joinder of Motion for Relief from Stay [**Doc. No. 160**] for the purpose of joining the Motion for Relief from Stay filed by Friona Industries, L.P., Cactus Growers, Inc. and J&F Oklahoma Holdings, Inc., [**Doc. No. 78**] and as supplemented [**Doc. No. 129**], for the reasons set forth in their motion and supplement. Unfortunately, CPC docketed this joinder as a motion, triggering the need for a filing fee of \$150. CPC paid this fee by credit card the morning of January 10, 2011.

The clerk has informed CPC that the joinder should not have been filed as a motion, and is more appropriately filed as a response. Accordingly, CPC is resubmitting its Joinder under the correct response event. Because a \$150 filing fee is therefore not required, CPC respectfully requests that this Court refund the filing fee, and for such other relief as the Court deems proper and just.

Respectfully submitted,

SNELL & WILMER L.L.P.

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CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2011, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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